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**MICHIGAN
LAW SCHOOL
WEEKLY**

UNIV. OF MICH.

SEP 16 1974

RES
GESTAE

Sept. 13, 1974

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JAIL COND.

COURT ORDER ENTERED IN SUIT BY INMATES
OVER CONDITIONS IN WASHTENAW COUNTY JAIL

Circuit Judge William F. Ager entered today a final order agreed to by the parties in a case filed over two years ago by inmates of the jail in Ann Arbor against the sheriff and the Board of Commissioners. The settlement binds the Commissioners to substantial expenditures on the old jail if a new jail is not promptly constructed. It also requires many changes in the treatment of prisoners regarding medical care, recreation, mail, discipline, and other aspect of the inmates' day-to-day life.

The lawsuit, filed in 1972, by attorneys for the American Civil Liberties Union and the Washtenaw County Legal Aid Society, has been one of several attacks on the conditions at the old jail on Ann Street. For the last several years, Robert Russell, the jail inspector for the State Department of Corrections, has repeatedly informed the Commissioner of legal shortcomings in the current facility. In 1973, a Blue Ribbon Committee of local officials and citizens appointed by the Commissioners reported to the Commission its findings that the present jail was "intolerable" and within recent weeks the Commission has approved plans to construct a new facility.

Among the principal provisions of the far-reaching decree signed today by Judge Ager are the following:

*The Commissioners agreed to provide a small fund to permit immediate physical improvements in the current jail. The money will be used to improve the ventilation in the crowded cells, the temperatures in which frequently rise to above 100 degrees F during the summer months and to improve conditions in the visiting areas, where today family members must crouch to talk through screens so thick that they can barely see the inmates they are visiting.

(See JAIL pg. 2)

ABA CONV.

ABA CONVENTION RESULTS

CHICAGO, Aug. 29--Urged on by outgoing President Chesterfield H. Smith, the American Bar Association has come out in support of conditional amnesty for Vietnam war draft evaders.

The ABA's policy-making House of Delegates also acted on a host of other controversial subjects during the organization's annual meeting in Honolulu Aug. 12-16.

After heavy debate, the 340-member House rejected a resolution seeking to decriminalize prostitution. Proponents argued that such laws discriminate against women.

Approved was a resolution supporting the Equal Rights Amendment. There was little argument over the proposal, which passed with hardly a dissenting "nay."

In the judicial area, the House rejected, 128-85, a proposal that would have been endorsed six-man federal civil juries. It approved a resolution opposing the idea of less-than-unanimous verdicts in federal criminal civil trials.

The Vietnam amnesty proposal was highlighted in the opening annual meeting session when Smith said the nation should put Watergate behind it and further "bind its wounds" by granting full amnesty to those who refused to fight in the Vietnam war.

Later, after spirited debate, the House approved, 117-110, a recommendation by its Section of Individual Rights and Responsibilities that the ABA support S. 2832, the Earned Immunity Act. The act would allow persons who unlawfully avoided military service to "earn" immunity from prosecution and punishment by performing alternate service for the nation.

Here is a summary of other House action:

(See ABA pg. 2)

*The Commissioner agreed that if they have not closed the current facility by April 1, 1977, and moved inmates to a new facility, they will bring the old facility into full conformity with the state housing law, state jail regulations, and Ann Arbor housing code as if the jail were a newly constructed building. If the new jail is not built, the county thus faces costs probably exceeding \$1 million dollars because of the antiquated condition of the current facility.

*The sheriff must maintain improved conditions in the disciplinary cells of the jail. At the time the suit was filed, these cells were painted black, with a hole in the floor as a toilet and with jail staff empowered to lock a person into the cells indefinitely without any sort of hearing provided to the inmates. Under the decree, limits are placed on placing persons into these cells and an elaborate set of hearing rights are provided, including, for more serious offenses, a right to a hearing before a panel of three persons that includes an inmate.

*The sheriff must provide recreation outside inmate's cells at least twice each week. The current jail has no indoor recreation facilities at all during winter months inmates spend day after day, week after week in crowded dormitory cells shared with up to 15 other inmates.

*The sheriff must maintain a medical program that includes thorough physical examinations and sick calls. At the time of the filing of the suit, no medical program existed within the jail. Since then, Sheriff Postill has introduced such a program. The decree will require that it be continued.

*The decree requires that a copy of the Ann Arbor News be provided to each ward and limits strictly any censorship on literature permitted into the jail. Under Sheriff Harvey, no newspapers or magazines of any kind were permitted into the jail.

*The decree requires equal treatment for women prisoners with regard to all rights and privileges of the jail, including, for example, access to trusty positions, recreation programs, and rehabilitation programs.

*The decree requires the county to submit all plans for the new jail to the court to insure that it conforms to the requirements of the state laws.

The attorneys for the plaintiffs have included David L. Chambers, Professor of Law at the University of Michigan, appearing for the American Civil Liberties Union; Richard Ginsberg and Thomas Darnton of the Washtenaw County Legal Aid Society; Michael Moran, a local practitioner; and Neal Bush, an attorney in Detroit. Robert Guenzel, Corporation Counsel for the County, has represented the County Board of Commissioners and the Sheriff.



(ABA from pg. 1)

National Institute of Justice--At the request of the ABA Commission on a National Institute of Justice, the House voted 141-80 to approve and urge the Congress to enact the "Bill for an Act Creating a National Institute of Justice," prepared by the Commission.

Abolishing the Internal Security Committee--The House voted 137-90 not to approve or disapprove a recommendation that the ABA endorse abolition of the House Committee on Internal Security (formerly the House Un-American Activities Committee), as asked by the Section of Individual Rights and Responsibilities.

Consumer class-action suits--The Ad Hoc Committee on Consumer Class Actions gained approval for opposition to any restrictive changes in Rule 23 of the Federal Rules of Civil Procedure (governing class actions) or any similar state rules, and ABA endorsement that any future state consumer class-action legislation should be patterned after Rule 23. The resolution opposes any legislative restrictions on consumer class actions for damages.

(See ABA pg. 6)

LETTERS

Law Offices of EDWARD L. LASCHER

August 26, 1974

Editor, Res Gestae
University of Michigan Law School
Ann Arbor, Michigan 48104

Dear Sir:

Judge Hufstedler's speech to the Campbell Competition Banquet, reprinted in the Spring 1974 Law Quadrangle Notes, prompts these comments on the appellate lawyer's view of moot court competitions. Just fifteen months out of law school, I cannot be considered expert, or even experienced, but I have been working for a year for a Michigan Law graduate who is an expert in appellate practice (both in brief writing and in oral argument, which are not the same skills), and have learned a sad fact about real world law practice not stressed by Judge Hufstedler

Real cases come up for review on real records. That means the appellate practitioner must often deal with poorly drafted complaints (in the California courts where pleading is somewhat more crucial than in the federal courts), untimely motions, over-ambitious trial objections, sloppily prepared findings, conclusions, jury instructions, and so on. That means there are sometimes insurmountable procedural obstacles to presentation of the earth-shaking issues which are presented in some cases.

Our office limits its practice to a major degree to the handling of appeals and writs for other lawyers, who have either made mistakes below, or are defending trial victories based upon their opponents' mistakes. Rarely is it only the court below which is in error; we constantly handle matters with the frustration of hindsight, thinking "if only I had drafted this document, or argued this motion, it would have been done right and we would have avoided this mess". (I hasten to add that part of my training here involves responsibility for a variety of trial and administrative matters, giving me the chance to learn by making my own record.) The record below is thus the critical factor distinguishing a moot court competition from a real case.

I disagree somewhat with Judge Hufstedler's observations on the place of policy argument in the lower appellate courts. In fact, every case on appeal involves public policy, although the institutional functions of the lower appellate courts prevent their taking the policy lead in some substantive areas. Every procedural rule has, or should have, a policy basis. Every decision based on such a rule either furthers or detracts from that policy. Therefore, every stage of every appeal requires a realistic consideration of public policy.

When I left the law school, I didn't know that I would end up with such a fascinating job* (I didn't even know that appellate specialists existed), but I am delighted to find something relevant to it the Law Quadrangle Notes.

Sincerely,

Wendy C. Wilner '73

*For those of you who despair of ever being hired, as I did, you might be interested to know that I found this job through an advertisement in a legal newspaper.

The Editor
Res Gestae
U. of M. Law School

Dear Ed:

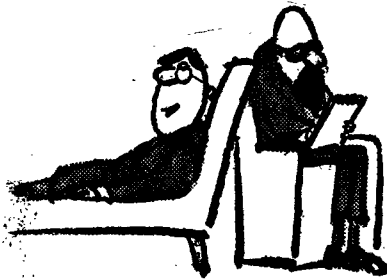
I have studied with empathy your efforts to eliminate relics of chauvinism from your vocabulary, by referring to chairperson, Congressperson, and so on. During the summer, I made strenuous efforts to introduce this newspeak among sailing comrades by way of phrases like "person the tiller!" and "person the mizzenstays!" On returning to the campus with renewed zeal for asexuality, I have noted additional vestiges of male tyranny in words like "woman" and "human," which should be switched to "woperson" and "huperson." However, "person" is also a chauvinistic expression because it denies equality to "perdaughter." To be fair, one should say "perchild," "chairperchild," "Congressperchild," and so on.

(See LETTERS pg. 4)

(LETTERS from pg. 3)

As the road of reform stretches longer and longer before us, I begin to suspect that we took the wrong turn at the very beginning. The real terminological crime, which we have to reverse, is the appropriation of the word "man"--which started out by designating the naked ape of either gender --for the exclusive use of the male. The same insidious theft has occurred in other languages, where the ambiguous Latin homo was looted to form the muy macho hombre, or the penistic homme ("Un homme et une femme").

The highroad to sexual equivalence is to recapture "man" for the use of both male and female, which we can only do by insisting that an individual of either sex may not only a human, but also a chairman, Congressman, juryman, watchman, foreman, helmsman, postman, policeman, gunman, or gamesman. This movement must be carried forward to eliminate other relics of the "separate but equal" fallacy by letting a member of either sex be an executor, administrator, testator, or ambassador.



Asexual "man" will need a few asexual pronouns for company. "His" and "her" have been replaced in common speech by "their," as in the announcement "Every student will pay their fees at the Business Office." Although grammarians will complain of the loss of specificity, the fact is that in Latin--the most exact of languages--"suum" includes his, hers and theirs.

A harder problem is what to do about "he," "she," "him" and "her". I suspect they will be replaced by "it," which is already used by slovenly speakers to relate the acts of a baby, a bull, a ship or a nation, in disregard to the obvious gender of each. But I would prefer to maintain a distinction between the animate and the inanimate--which is not yet illegal--by adopting 'e as the asexual nominative pronoun, and 'm as the asexual accusative. These are already in widespread use, and all that remains is to

conform the written language to the spoken.

Hoping that this solves all your sex problems, I am,

Very respectfully,

Alfred F. Conard

A Reply

Who has sex problems? In any event, we are assured of the wisdom of Professor Conard's counsel. Since undoubtedly he has not had sex problems for years, he can approach any such difficulties with an air of detachment and objectivity.

The present editorship is more concerned with the fundamentals of human dignity rather than with semantic exercises. However, if a particular group is sensitive to certain vagaries of grammar or syntax we will do our best to accommodate it.

In this regard, Professor Conard's comments are most welcome. More importantly, however, this letter exposes a side of Prof. Conard that we as students rarely see. He obviously possesses a talent for satire and an acerbic wit. He has so much potential, in fact, that we here will gladly cry: "Alf Conard can join the Res Gestae staff!" After all, a gift like his must not be wasted, and a man can give only so much of his soul to "No-Fault." So we hereby invite the good professor to join our staff, which is dedicated to truth, justice and the disproving of ancient conards.

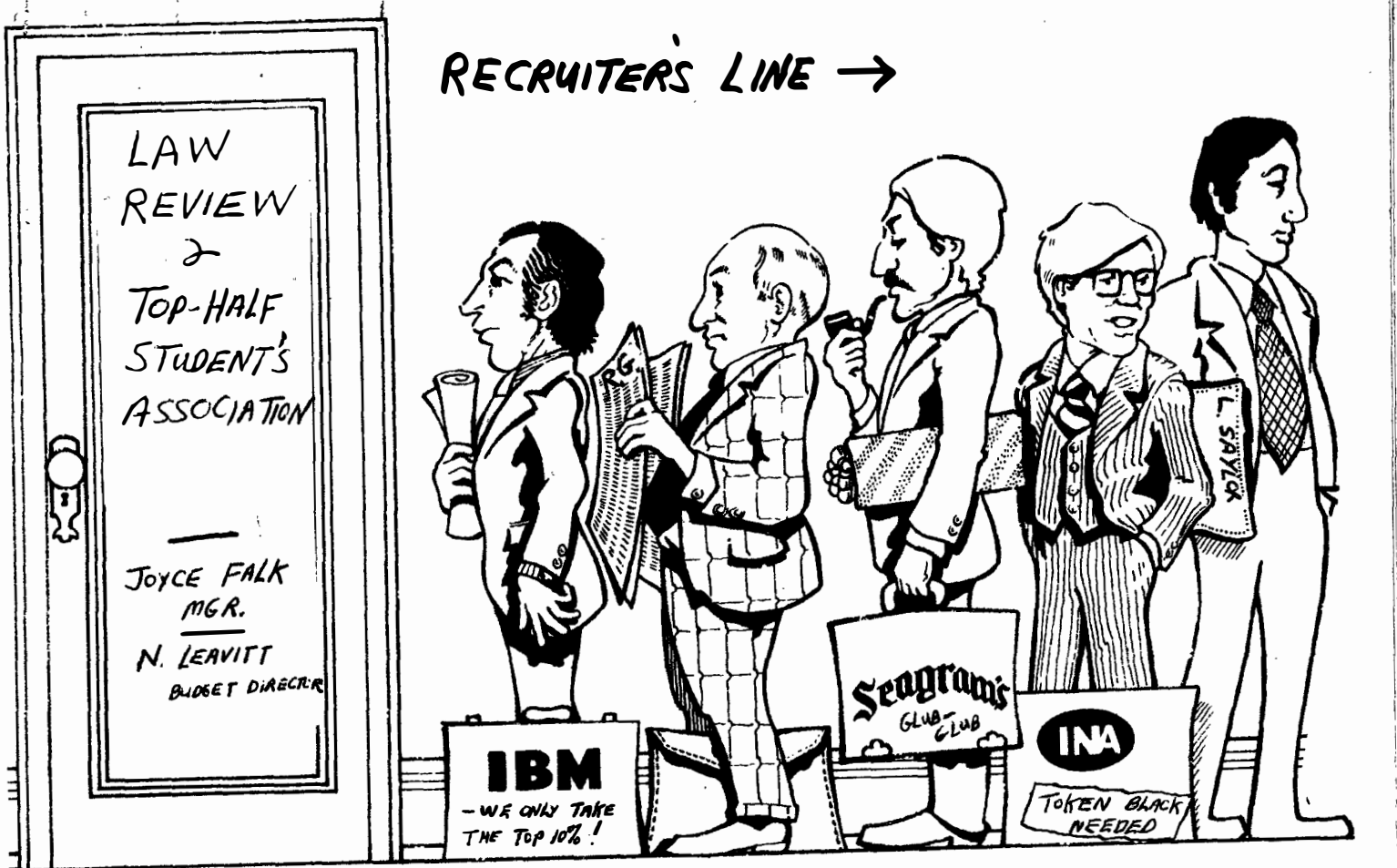
Most respectfully,

Joseph C. Fenech

LAW SPOUSES

On Monday, September 16 at 8 PM a panel discussion will be held dealing with affirmative action at the University of Michigan. The panelists are: Helen Hudson, a third year law student, Alan F. Smith, a professor of law, and Barbara Murphy, the Assistant Chairwoman of the Committee for Women. The discussion will take place in the Law Club Lounge. Open to everyone.

RECRUITERS' LINE →



Freedom of information--A substitute proposal from the Section of Administrative Law was approved in lieu of the call from the Section of the call from the Section of Individual Rights and Responsibilities for federal legislation to improve procedures for obtaining access to government information under the Freedom of Information Act. The substitute added the caveat that any such legislation "be carefully drafted to balance and protect all interests," while placing emphasis on the fullest disclosure and maximum public access.

"Government in the Sunshine Act"--The House voted to have a seven-member committee study a recommendation that the ABA support in principle the "Government in the Sunshine Act." The act would declare it U.S. policy that the public is entitled to the fullest practicable information on the decision-making processes of the federal government. Further, it would open the meetings of congressional committees and administrative agencies to the public, with steps taken to protect trade secrets subject to agency regulation.

Health insurance advertising--Deferred until the midyear meeting was a Section of Family Law proposal asking support for an amendment to the McCarran-Ferguson Act that would reinstate jurisdiction of the Federal Trade Commission over advertising practices of insurance companies. The purpose of the recommendation is to permit the FTC to prevent false and misleading advertising of mail-order Medicare-supplement health insurance for those over 65.

Housing sex discrimination--The Section of Individual Rights and Responsibilities gained ABA support for passage of legislation on the federal, state and local levels prohibiting discrimination on the basis of sex in the sale and rental of housing.

Legal Aid--On recommendation of the Standing Committee on Legal Aid and Indigent Defendants, the House agreed that the ABA will urge Congress to appropriate funds to maintain the government-funded legal services program at the 1971 level, until the Legal Services Corporation becomes operational.

Military Justice--Three changes in the Uniform Code of Military Justice, and a recommendation that training in legal subjects for service academy students be adopted, were proposed by the Standing Committee on Military Law and approved by the House. The code changes cover such matters as the sentencing power of military judges, post-trial review of court-material proceedings for errors of law and fact, and conferring of authority on the Judge Advocate General to correct certain types of errors.

Mining on public lands--The Section of Natural Resources Law won okay for its recommendation that the ABA support the idea of non-fuel mineral mining on public lands consistent with environmental protection, and that the ABA support suitable policies for recycling and conserving minerals.

Nuclear plant regulation--The section of Individual Rights and Responsibilities gained assent for its call for opposition to H.R. 11957, 12823 and 13484-- all of which, it says, would impair the ability of individuals to preserve their individual and environmental rights and responsibilities in connection with hearings on the licensing of nuclear power plants. The resolution supports S. 2547, which would strengthen those rights.

Probate reforms--Action was deferred on the Section of Real Property, Probate and Trust Law's "Principles Regarding Probate Practices and Expenses," which notes that some justifiable criticism of charges, costs and delays in settling a decedent's estate warrants a statement by the section clarifying its position with respect to fees, commissions and other practices involved in probating wills. The statement further notes, however, that many probating procedures are mandated by the legislatures of the various states and are not directly within the province of the bar to change.

Protection of congressional witnesses--The House voted to reaffirm ABA policy supporting adoption of rules by Congress providing that no witness before a congressional committee be compelled to testify in any hearing being broadcast or recorded, unless he or she previously had so agreed. The recommendation was made by the Section of Criminal Justice.

(ABA from pg. 6)

Employment "over-65" discrimination-- The House rejected, 121-61, ABA endorsement of removal of the upper limit of age 65 in employment discrimination actions, provided for in S. 2499. The recommendation was submitted by the Section of Family Law.

Energy resources--Approved were several recommendations on development and conservation of energy resources. As proposed by the Section of Natural Resources Law, the ABA will:

--Urge that measures taken by the government for energy conservation recognize the complexities involved in any mandatory program, and the need for equity and due process in the operation of any sanctions prescribed for such a program.

--Recommend that Congress authorize the Environmental Protection Agency to permit temporary relaxation of environmental compliance schedules, as necessary in the public interest.

--Support appropriate federal legislation to establish reasonable and predictable licensing procedures to permit the most expeditious possible construction of urgently needed deepwater ports.

--Oppose proposals for the federal government to form a corporation to engage in the business of exploring, producing, transporting, refining and marketing petroleum and petroleum products, and state its belief that policies should be adopted to encourage private firms to expand such efforts, in response to appropriate incentives and reduction of unnecessary government constraints.

Federal court practice--The Special Committee on Federal Practice and Procedure won approval for its recommendation that the ABA go on record as opposing the rules of certain U.S. courts of appeals that drastically curtail or eliminate oral arguments in non-frivolous cases, and opposing a fortiori the disposition of cases prior to the filing of briefs.

Financial privacy--Deferred to the midyear meeting was a Section of Criminal Justice request for ABA support for legislation revising the Bank Secrecy Act in favor of financial privacy and support for two pending bills that would accomplish this purpose. (See ABA pg. 8.)

legal ed.

THE NARROWING OF A PROFESSIONAL: A MICHIGAN LAW SCHOOL EDUCATION

During the past several weeks I have been thinking about a number of statements Justice Douglas suggested that law students should be given a broad education even if this meant limiting law school to two years and requiring students to take other courses, such as sociology and philosophy, for their third year. In thinking about these comments, I was impressed with just how narrow the educational program is at the University of Michigan Law School.

The theme I hear repeated frequently in discussions with administrative personnel is that law school activities are either educational or extracurricular. All work in the community, outside the present clinical program, is defined as extra-curricular and does not warrant the giving of law school credit. The law school fails to feel it has an obligation to enable students to understand the impact of our legal system on the poor or those who become involved in the criminal justice system.

On several occasions I have discussed the need for greater law school support for community based educational experiences with Dean St. Antoine. On each occasion the Dean explained that the law school does sponsor a clinical law program that does provide such an opportunity. Besides, the law school is in a tight financial position and cannot afford to extend itself beyond such a program.

I agree that the present clinical program does offer an excellent learning experience. All the students I know that have participated in the program have found it to be a worthwhile experience. However, this program is open to only 30 students per semester. This enables only 270 Michigan students to participate in the program while there is a population of more than 1,000. The fact that the clinic was oversubscribed by 42 students indicates strong student support for such a program.

The clinical law program at the University
(See EDUCATION pg. 9)

Racial discrimination--Action was deferred on a Section of International Law recommendation that the ABA urge accession of the United States to the International Convention on the Elimination of All Forms of Racial Discrimination.

The National Association of College and University Attorneys was admitted to status as an ABA-affiliated organization.

Delegates created an ABA Section of Science and Technology, but rejected proposals that would have limited the age of House members to 70, and place a five-year limit on the House terms of former Association officers.

JUVENILE LAW

JUVENILE JUSTICE

Some states call them juvenile delinquents. Others use such labels as "offenders" or "wards of the court." Some states try them in juvenile court until they are 18. Others remand them to adult criminal court at 16, long before they are allowed to vote or exercise other rights as citizens. Some states prohibit the jailing of juveniles under any circumstances. Others place 14-year-olds in adult lock ups even though their "crime" consists of no more than running away from home.

Juvenile justice varies widely within as well as among states, according to the latest report by the University of Michigan's National Assessment of Juvenile Correction (NAJC). The authors are Prof. Rosemary C. Sarri of the U-M School of Social Work, project co-director, and Mark M. Levin, an attorney with the U.S. Department of Justice. The federally-funded NAJC was begun in 1971 to assess the relative effectiveness of various court and correctional programs for juveniles.

"There have been far more extensive statutory changes in the juvenile codes since 1970 than in several of the preceding decades," say Sarri and Levin. "But the

pattern of change varies greatly. Some states have extended the juvenile court's jurisdiction; some have restricted it. Some changes suggest stricter punishment, while others clarify and extend civil liberties and due process guarantees.

"Our analysis of juvenile codes in the 50 states documents such widespread variation that a general assessment is not possible. There are disparities in the age limits for juvenile jurisdiction, in what is listed as an 'offense,' in the criteria for turning a juvenile over to the adult court system, in the kinds of detention facilities prescribed for juveniles, in the length of detention and probation, in the records kept on the juvenile offender, in the court structure, and in the qualifications held by judges, probation officers, and other court staff.

The juvenile codes are relatively silent about the substantive or constitutional rights of the child," say Sarri and Levin. "Instead, they tend to emphasize the rights and duties of parents and society. State laws tend to presume that the juvenile court judge will make decisions 'in the best interests of the child,' but are silent about the resources needed to serve these interests or the accountability for determining if the child has in fact been rehabilitated."

Before this century, Sarri and Levin note, the states made few attempts to reform delinquent youngsters. Progressive reformers behind the 1899 Illinois Juvenile Court Act emphasized an approach of service and rehabilitation, the authors say: Hearings were to be informal and private, with the judge holding the broad discretionary power of a parent. No differentiation, nor were due process guarantees.

By 1928, all but two states had enacted juvenile codes, but they outlined little more than court procedure. "Early statutes did not explain the links between the juvenile and adult court systems; few mentioned procedures for appeal. The juvenile court developed rather like a step-child of the justice system, even though the volume of juvenile crime has nearly equaled that of adult crime in many states," Sarri and Levin said.

(See JUVENILES pg. 11)

of Michigan, though excellent, is quite limited compared to the programs offered by other law schools. It even falls short of the goal set by the law school in a proposal submitted to the Council on Legal Education for Professional Responsibility (CLERP) in 1970. That proposal, which was submitted by Professor Francis Allen, then Dean Allen, called for a Clinical Law II program as well as Clinical Law I. In the introductory letter accompanying the proposal, Professor Allen stated: "By the end of the three-year period we hope to have provided clinical instruction for credit to between one-third and one-half of our graduates." The law school today is falling short of that goal.

If the law school is incapable of providing a broad legal education, it should at a minimum offer greater support to those "extra-curricular" programs that do help broaden a law student's education; programs such as the Legal Aid Society, and the Michigan Inmate Assistance Program, the Environmental Law Society, and the Women Law Students' Association. Students are interested in an education broader than that offered by classroom instruction or library research. The law school must become more receptive to student demands for educational experiences outside the classroom.

S/Ken Morse 9-3-74

NOTICES

NOTICE

Res Gestae hopes to up-grade both content and format in the near future. Tentative plans include a small, salaried staff. Anyone with journalistic experience and interested in reporting for the R.G. is invited to attend a meeting THURSDAY afternoon, September 19 at 3:00 p.m. in the R.G. office, 102-A Legal Research. Also needed is a person with some experience in advertising or graphic design.

If you are unable to attend the meeting, please leave a note indicating a phone number, where you can be reached.

PHI ALPHA DELTA

Phi Alpha Delta Law Fraternity will have its weekly luncheon meeting on Thursday, September 19 in the Faculty Dining Room (located between the Lawyer's Club Lounge and the Student Dining Room). Everyone is invited. Free coffee will be provided—bring your lunch or tray and join us. Watch for the PAD signs announcing the speaker and topic.

S/Gaylen J. Byker, Clerk

INTERNATIONAL LAW SOCIETY

On Tuesday, September 17, the International Law Society will present Prof. John Jackson, speaking on "The 1974 Trade Bill", at 6:45 p.m. in the Main Lounge of the Lawyers Club. The Society will host Professor Jackson at a dinner preceding the talk at 5:45 p.m. in the Faculty Dining Room of the Lawyers Club. Anyone wishing to attend the dinner should sign up on the list outside the ILS office door (102-B Legal Research) by noon Monday.

CAMPBELL COMPETITION

September 9, 1974

All second year law students are invited to participate in the 51st Annual Henry M. Campbell Moot Court Competition. The competition involves researching and writing a twenty page brief in a hypothetical case and arguing the case before the U.S. Supreme Court. Students may enter as individuals or as teams.

This year's problem, written by Professor Peter Westen, involves a prisoner's petition for habeas corpus. Professor Westen, in response to a request that the scope of the problem be narrowed substantially from past years, has followed Supreme Court procedure and certified four questions for resolution by the Court. While the work involved in preparing and arguing the brief will be substantial, IT IS ANTICIPATED THAT THE RESEARCH NECESSARY TO ADEQUATELY DEAL WITH THE ISSUES WILL BE SUBSTANTIALLY LESS THAN HAS BEEN REQUIRED IN PAST YEARS. It is hoped that this change will facilitate participation by students interested in oral advocacy but limited in the time they have available for legal research.

The second organizational meeting (no prob-
(See MORE NOTICES pg. 10)

more notices

lem if you missed the first) will be held Friday, September 13, 1974, in the Moot Court Room (232 HH) at 3:15 P.M., at which time Professor Westen will be available to explain the problem and answer questions concerning it.

S/Jack Kolinski
1974-75 Campbell Chairperson

FACULTY POSITIONS

ASSOCIATION OF AMERICAN LAW SCHOOLS invites persons interested in positions in law teaching to register in its

FACULTY APPOINTMENTS REGISTER and to attend the Association's

RECRUITMENT CONFERENCE November 29-30 & December 1 at the Washington Hilton Washington, D.C.

A nominal registration fee is required. For further information and registration forms, write the Association of American Law Schools, Suite 370, 1 Dupont Circle, Washington, D.C., 20036. Information is also available at all law schools.

Foreign Study/Research Fellowships

SENIORS

Those of you interested in applying for a fellowship to undertake a year of specialized study and/or research abroad following graduation should immediately contact Mrs. Mary Broadley Gomes (Assistant to Professor Bishop) in Legal Research 973, for information and help. The deadline for the Fulbright and many other competitions is early Fall. Candidates must formulate their programs and projects well before submitting applications, and consult early with faculty specialists in the areas of interested involved.

MINORITY STUDENTS

A special effort will be made this year to select a greater number of minority applicants for Fulbright and certain other

similar fellowships. Project interest, background and possible language qualifications are as important as academic record (and in certain areas, more so).

GENERAL

Completed applications and supporting letters of recommendation, etc., are due no later than September 30. Campus "screening" interviews for Fulbright-Hays grants will take place approximately mid-October. Language tests will be incorporated in the completed application forms, and the test must be administered prior to that time by the language department concerned. The general requirement in this respect is either an existing sound working knowledge, or sufficient basis in the language for intensive review to bring it up to a sound working knowledge.

A number of possibilities exist for such study/research in various countries, apart from the Fulbright-Hays competition, but similar deadlines apply. Please make relevant inquiries as soon as possible at Legal Research 903 (Mrs. Gomes), afternoons preferred.

1st-2nd YEAR STUDENTS

Later this semester, an announcement will be made relating to a general talk concerning foreign study/research fellowships.

LEGAL AID

Both branches of Washtenaw County Legal Aid Services ("Campus", and "Downtown") are in desperate need of law student volunteers. If you are able to contribute six to eight hours a week please contact the branch of your choice.

MOVIE

The Film Committee will present Woody Allen's "What's Up, Tiger Lilly?" this Friday evening. Show times are 7, 8:45, 10:30. Law students are admitted free upon presenting the white activities card received at registration.

(JUVENILES from pg. 8)

"Influence by the adult criminal system, juvenile 'justice' has relied greatly on placing children in jails and detention facilities, under conditions that violated nearly all requirements for rehabilitation. Until the last decade there was little mention of juvenile law, legal procedures and the rights of youth.

"Current court activity at both state and federal levels suggests that children's rights will continue to be expanded and clarified, but at a very slow rate."

Sarri and Levin outline the following areas in need of policy change:

Jurisdiction--"Age can be a serious problem in states with an upper limit of 16 or under; in these states, older youth are processed in the adult criminal system where their opportunities for rehabilitation may be jeopardized. Wide discretion is allowed judges and prosecutors, and due process protections are not safe guarded."

Detention--"Stronger sanctions are necessary to eliminate the practice of placing juveniles in adult jails, since this experience is almost always detrimental. The codes imply that juveniles will be detained merely before they are brought to trial, but they are not explicit enough. Thus, a census reveals that large numbers of youth are held for indeterminate periods after judgment, in facilities often lacking education and treatment programs."

Adjudication--"Since the founders of the juvenile court envisioned private, in formal hearings, the codes have few, if any, provisions governing the conduct of the hearings. Recent Supreme Court decisions have been aimed at assuring more formal hearings with due process guarantees."

Disposition--"Judges typically have unlimited discretion in the placement of young offenders. The juvenile codes contain few policy guides, on where or for how long a child might be committed; many allow transfer to an adult facility without special hearing or review."

Court Structure--"The position of the juvenile court in the judicial structure varies widely not only among but within states. Qualifications and procedures for selecting

juvenile court judges, and other staff vary and unfettered judicial discretion characterizes the supervision of probation staff."

Records--"The popular assumption that a delinquent does not have a record after being processed through juvenile court is largely invalid. Provisions exist for sealing and erasing records after dismissal or discharge, but usually on a discretionary basis. Information on a juvenile defendant is open to misuse."

Sarri and Levin note: "We must conclude that when the state and the juvenile confront each other in a delinquency proceeding they are adversaries, despite rhetoric to the contrary. The present ferment for statutory changes in the Codes provides an opportunity to enhance the constitutional and humanitarian rights of children."

--U. of M. News



LAWYERS GUILD

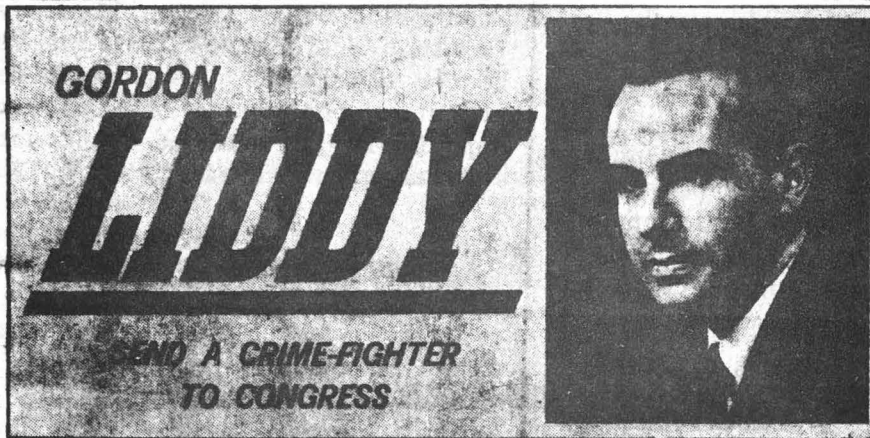
Organizational meeting Tuesday September 17, 7:30 p.m. room 116 Hutchins Hall.

What is the Lawyers Guild?

The National Lawyers Guild is a national organization of left legal people--legal workers, law students & lawyers which gives legal and organizational support to the struggles of poor, oppressed and politically repressed people in this country. There is a student chapter here in the law school and a large chapter including lawyers and legal workers as well as students, in Detroit. The Guild sponsors several National Projects, including military law, Labor Law, the defense of the Attica brothers, and the wounded knee defendants. Guild legal folks are also active in local struggles ranging from labor disputes to fighting sexism and racism to community organizing to defending unpopular defendants from criminal charges.

(See GUILD pg. 15)

LAW REVIEW 1974



GIVE ME A "P"
GIVE ME AN "A"
GIVE ME AN "R"
GIVE ME A "D"
GIVE ME AN "O"
GIVE ME AN "N"

You first-year students from all over the land,
Law School's a thing you just won't understand;
Decorum so trite and class such a boor,
You'll doubt it could really be '74.

Have fun! Light a joint! Throw that casebook away!
Don't go to class, study one hour a day!
You'll soon find that homework is only a curse,
And class is for colf-men, professors and worse.

You'll soon seek our Savior, our God, our Big Cheese,
Who makes midterms a snap and finals a breeze;
Whom the teachers all hate 'cause He shows that they're fools,
Who's the greatest invention since crib sheets and slide rules.

If anyone tells you they passed without Him,
They're lying to you, sure as fishes can swim.
And who is this Marvel, this Hero, this King?
It's GILBERT'S LAW SUMMARIES, a wonderful thing.

So take my advice, burn that casebook, forget it!
Just pick up a GILBERT'S, you'll never regret it.

Treasurer's Report
LSSS
As of July 1, 1974

Revenues:

Accounts

Pinball Machines	\$6912.00
Vending Machines	5917.84
Movies	766.50
Mixers	578.25
S.G.C. Allocation	944.35
Law Student Fee Allocation	7600.00
Miscellaneous	1626.47
Cash on hand--prior year	<u>5786.63</u>
TOTAL REVENUES	\$30,132.04

Expenses

Organizations	\$18,750.83
Vending	5,018.67
Pledge for Club Refurnishing	<u>4,000.00</u>
TOTAL EXPENSES	\$27,769.50

CASH SURPLUS July 31, 1974-----\$ 2,362.54

Notes

- 1,2 These accounts were not included in the budget but are listed separately from the contingency fund for emphasis.
- 3 The Barristers have still to furnish a satisfactory accounting from the Grease Ball.

Treasurer's Report
Law School Student Senate
as of July 1, 1974

Expense Statement:

<u>Budget Accounts</u>	<u>Budgeted</u>	<u>Actual Expense</u>	<u>Balance</u>
Film Committee	\$1420.00	\$1847.16	[\$427.16]
Social Committee	3320.00	3875.35	[555.35]
Sports Committee	901.00	799.42	101.58
Speakers Committee	3500.00	894.80	2605.20
Senate Contingency			
Prior Year's Debts	--	1284.10	[1284.10] ¹
Unknown Items	--	534.79	[534.79] ²
Operating Expenses	500.00	1057.83	[557.83]
Contingency Fund	1703.00	321.74	1381.26
Res Gestae	1017.00	1036.99	[19.99]
Ph: Alpha Delta	145.00	216.00	[71.00]
Law Spouses	200.00	212.75	[12.75]
International Law Society	795.00	881.34	[86.34]
B.L.S.A.	1375.00	1013.09	361.91
La Raza	710.00	374.00	336.00
Legal Aid Society	1000.00	493.00	507.00
MIAP	2050.00	1500.00	550.00
Environmental Law	1155.00	549.57	605.43
Lawyers Guild	309.00	211.77	97.23
Womens Law	665.00	415.04	249.96
ABA-LSD	180.00	97.99	82.01
Michigan Law Critique	650.00	634.86	15.14
Barristers	500.00	499.24	.76 ³
NOR LAW	90.00	--	90.00
Day Care Center	<u>250.00</u>	<u>--</u>	<u>250.00</u>
TOTALS	\$22,435.00	18,750.83	3,684.17

(GUILD from pg. 11)

In the past, the U of M chapter has done legal work on local suits and in behalf of the Attica brothers, the Guild has also sponsored seminars in the legal skills you aren't taught in law school; Practical Civil Criminal Procedure; Title VII etc. We also have a good time just getting together and fighting the law school mind-depressant.

This year, the Guild is going to continue these activities. We also have an office in Room 110 in the basement of the library where we will have a small library of our own and a place where we can get together and talk and work and pull each other through. We'd like to concentrate on building mutual support and discussion groups, and especially, a Women's Caucus, to achieve that end.

The finals of 61 Attica brothers are scheduled to begin in Buffalo this fall, after two years of pre-trial work, and there will be ample opportunity to work with the Attica Brothers Defense Committee and Detroit final attorneys on all aspects of true defense--jury selection, legal research, political organizing and fund raising. The wounded knee trials will also provide many of the same opportunities.

On the local level, elections are coming up in Ann Arbor. Also there are several things in this Law School which deserve a little attention: Curriculum, placement, minority and women's recruitment, and anything else the Guild Membership thinks is worth going to bat for.

Our first meeting will be an important one. Folks will be there who have worked with Guild projects, both national and local, who can give a flavor of the Guild. But most important will be input from the membership, new and old. First year students are especially invited. See you Tuesday!

S/Tom Jenkins

S/Alison Steiner (662-4136)

For the Steering Committee of the Ann Arbor lawyers guild.

want ads

This column is available for notices by members of the law school community.

FOOTBALL POLL

Those of you who are new to Michigan will soon discover that one of the highlights of your tenure at this law school will be your weekly participation in the various seasonal polls. Not only will you be able to show how intelligent you are, you may even win the special prize given each week to the best guesser.

DIRECTIONS: Points are added to the weaker teams in order to even the odds. Circle the winners and cross out the losers. Place your entries in the box in front of Room 100 by 5:00 Friday afternoon.

COLLEGE

Alabama at Maryland (10 1/2)
Southern Cal at Arkansas (14 1/2)
Baylor (28 1/2) at Oklahoma
Texas at Boston College (17 1/2)
California (10 1/2) at Florida
Colorado (14 1/2) at LSU
Duke (10 1/2) at NC State
Pittsburgh at Florida State (24 1/2)
Oregon State (17 1/2) at Georgia
Houston at Rice (14 1/2)
Indiana at Illinois (6 1/2)
Iowa (24 1/2) at Michigan
Iowa State (7 1/2) at Texas Tech
Kansas at Washington State (10 1/2)
Northwestern (3 1/2) at Michigan State
Ohio State at Minnesota (24 1/2)
Missouri at Mississippi (7 1/2)
Oregon (14 1/2) at Nebraska
Stanford (1/2) at Penn State
Wisconsin at Purdue (7 1/2)
Clemson (14 1/2) at Texas A & M
Colorado State (14 1/2) at New Mexico

PRO

Baltimore (10 1/2) at Pittsburgh
Oakland at Buffalo (3 1/2)
Miami at New England (14 1/2)
New York Jets (7 1/2) at Kansas City
Cleveland (6 1/2) at Cincinnati
San Diego at Houston (2 1/2)
Los Angeles at Denver (7 1/2)
Dallas (3 1/2) at Atlanta
Washington at New York Giants (7 1/2)
Philadelphia at St. Louis (4 1/2)
Detroit at Chicago (6 1/2)
Minnesota at Green Bay (8 1/2)
San Francisco at New Orleans (7 1/2)

(THE PRIZE IS ONE DOLLAR.--ed)

George A. Pagano